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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/590,807

12/22/2006

Gerd Stahlecker

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01/05/2009

THE NATH LAW GROUP

112 South West Street

Alexandria, VA 22314

EXAMINER

DONDERO, WILLIAM E

ART UNIT

PAPER NUMBER

3654

MAIL DATE

DELIVERY MODE

01/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,807	Applicant(s) STAHLECKER ET AL.	
	Examiner WILLIAM E. DONDERO	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/01/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 3 is objected to because of the following informalities: “ α ” should be - -a- - in line 3. Appropriate correction is required.

Claim 8 is objected to because of the following informalities: “a” should be - - α - - in line 3. Appropriate correction is required.

Claim 11 is objected to because of the following informalities: “30” should be deleted from line 6. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 8, 10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Abbott (US-2268554). Regarding Claim 8, Abbott discloses an overend crosswound take-off bobbin having at least one thread wound on with a variable pitch angle, characterized in that the crosswound bobbin has one or more thread layers having parallel windings (see particularly Figure 3) (Figures 1-3; Page 1, Left Column, Line 41 – Page 1, Right Column, Line 15). Regarding Claim 10, Abbott discloses the parallel windings start at a distance after one bobbin edge 8 and/or end at a distance before the other bobbin edge 8 (see particularly Figure 3) (Figures 1-3; Page 1, Left Column, Line 53 – Page 1, Right Column, Line 3). Regarding Claim 12, Abbott

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discloses there are thread layers (the parallel winding layers) which are wound on with a varying traversing stroke (see particularly Figure 3) (Figures 1-3; Page 1, Left Column, Line 53 – Page 1, Right Column, Line 3).

With respect to Claims 1, 3, and 5, the method described in these claims would inherently result from the production of the overend crosswound take-off bobbin of Abbott as advanced above.

Claims 2 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Koyanagi et al. (US-20030161979). Regarding Claim 9, Koyanagi et al. disclose an overend take-off crosswound bobbin 21 having at least one thread wound on with a variable pitch angle (see Figure 8) characterized in that the pitch angle of the thread layers situated to the inside is on average, as seen over a number of thread layers smaller than that of the thread layers situated further to the outside (see line c of Figure 8) (Figures 1-8).

With respect to Claim 2, the method described in this claim would inherently result from the production of the overend take-off crosswound bobbin of Koyanagi et al. as advanced above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott (US-2268554) as applied to claims 1, 3, 5, 8, 10, and 12 above, and further in view of Koyanagi et al. (US-20030161979). Regarding Claim 11, Abbott is silent about the pitch angle is substantially constant over certain regions of thread layers, and in that the average pitch angel of a region situated to the inside is smaller than that of a region situated further to the outside. However, Koyanagi et al. discloses an overend crosswound bobbin characterized in that the pitch angle is substantially constant over certain regions of thread layers, and in that the average pitch angel of a region situated to the inside is smaller than that of a region situated further to the outside (see graph c in Figure 8 which is constant at the initial inner layer and smaller than the constant at the intermediate and outer layer) (Figures 1-8). It would have been obvious to one of ordinary skill in the art to produce the bobbin of Abbott with certain regions of constant pitch and the inner regions having a smaller pitch than the outer regions to achieve a package of excellent unwindability as taught by Koyanagi et al. (Paragraph [0212]).

With respect to Claim 4, the method described in this claim would inherently result from the production of the overend take-off crosswound bobbin of Abbott in further view of Koyanagi et al. as advanced above.

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott (US-2268554) as applied to claims 1, 3, 5, 8, 10, and 12 above, and further in view of Furness (US-1770397). Regarding Claim 13, Abbott is silent about the thread layers produced with a traversing stroke which is reduced by comparison with the bobbin width are wound on at least partially along the bobbin width with an offset with

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respect to one another. However, Furness discloses an overend take-off crosswound bobbin characterized in that the thread layers produced with a traversing stroke which is reduced by comparison with the bobbin width are wound on at least partially along the bobbin width with an offset with respect to one another (Figure 1; Page 1, Right Column, Line 65 - Page 2, Left Column, Line 23). It would have been obvious to one of ordinary skill in the art at the time of the invention to produce the bobbin of Abbott by varying the traversing stroke with an offset to produce a bobbin that is substantially equally pervious to a washing medium across the entire width of the bobbin as taught by Furness (Page 2, Left Column, Lines 6-23).

With respect to Claim 6, the method described in this claim would inherently result from the production of the overend take-off crosswound bobbin of Abbott in further view of Furness as advanced above.

Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott (US-2268554) as applied to claims 1, 3, 5, 8, 10, and 12 above, and further in view of Planck et al. (WO-02060800) (using US-20040104290 as translation).

Regarding Claim 14, Abbott is silent about the pitch angle is varied with changing direction of displacement. However, Planck et al. disclose on overend take-off crosswound bobbin characterized in that the pitch angle (α and β) is varied with changing direction of displacement (Figures 1-5; Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to produce the bobbin of Abbott with the pitch angle varying with the direction of displacement to increase the

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unwindability of the bobbin by reducing tension fluctuations as the thread is unwound from the bobbin as taught by Planck et al.

With respect to Claim 7, the method described in this claim would inherently result from the production of the overend take-off crosswound bobbin of Abbott in further view of Planck et al. as advanced above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM E. DONDERO whose telephone number is (571)272-5590. The examiner can normally be reached on Monday through Friday 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. E. D./

Examiner, Art Unit 3654

/Peter M. Cuomo/

Supervisory Patent Examiner, Art Unit 3654